

MINUTES OF MEETING
HEALTH SERVICES COUNCIL

DATE: 31 March 2009

TIME: 2:30 PM

LOCATION: Health Policy Forum
Department of Health

ATTENDANCE:

Council: **Present:** Victoria Almeida, Esq., (Vice Chair), Edward F. Almon, Raymond C. Coia, Esq., Joseph Dowling, M.D., John W. Flynn, Wallace Gernt, Maria R. Gil, Robert Hamel, R.N., Amy Lapierre, Thomas M. Madden, Esq., Robert J. Quigley, D.C (Chair), Reverend David Shire (Secretary)

Excused: Gary J. Gaube, Sen. Catherine E. Graziano, R.N., Ph.D., Denise Panichas

Not Present: Joseph V. Centofanti, M.D., Robert Ricci, Robert Whiteside

Staff: Valentina D. Adamova, MBA, Michael K. Dexter, MPA, Robert Marshall, PhD., Joseph G. Miller, Esq., Michael Varadian, JD, MBA

Public: (Attached)

1. Call to Order, Approval of Minutes, Conflict of Interest Forms and Time Extension for the Minutes Availability and Establishment of the Nominating Committee of the Health Services Council.

The meeting was called to order at 2:35 PM. Minutes of the Health Services Council meeting of 24 February 2009 were adopted as submitted. The Chair noted that conflict of interest forms are available to any member who may have a conflict. A motion was made, seconded and passed by a vote of twelve in favor and none opposed (12-0) that the availability of the minutes for this meeting be extended beyond the time frame provided for under the Open Meetings Act. Those members voting in favor were: Almeida, Dowling, Flynn, Gaube, Gernt, Gil, Graziano, Hamel, Lapierre, Madden, Quigley, Shire.

The next item on the agenda was the Election of Health Services Council Officers. The nominations for the Health Services Council Officers were as follows: Chairman - Robert J. Quigley, Vice Chairman - Victoria Almeida, Secretary – Reverend David Shire. There being no other nominations from the floor, the nominations were closed. The Council Members cast their ballots. The results of the election were as follows: Chairman – Robert J. Quigley (12 votes); Vice Chairman – Victoria Almeida (11 votes); Secretary – Reverend David Shire (12 votes).

2. General Order of Business

The Chair noted that upon the request of the legal counsel of Dependable Health Care Services, LLC, that application will be moved up in the agenda and become item seven.

The first item on the agenda was the *Addendum to the Report of the Health Services Council on the Certificate of Need application of Miriam Hospital's [Lifespan Corporation] to Construct Three Floors to House Medical/Surgical Nursing Units, Upgrade the Emergency Department, and Consolidate and Upgrade*

Diagnostic and Patient Treatment Areas. Staff summarized the application and the deliberations of the Committee on this matter.

The applicant and the Council discussed the requirements of the conditions of approval and that if the condition has been met the applicant may seek relief. Ms. Lapierre asked the Council whether approval should be given for parts of the project for which the applicant did not have immediate plans to implement. The applicant maintained their request for approval for all elements of the change order. Staff noted that there will be monitoring as the applicant will be providing progress report to the state agency.

A motion was made, seconded and passed by a vote of eleven in favor, none opposed and one recusal (11-0-1) to recommend that the change order request be approved subject to the conditions of approval. Those members voting in favor were: Almon, Coia, Dowling, Flynn, Gernt, Gil, Hamel, Lapierre, Madden, Quigley, Shire. Almeida recused.

The next item on the agenda was the *Report of the Committee of the Health Services Council on the application of **American Senior Living Communities RI I, LLC** for change in effective control of Mt. Saint Francis Associates, LP which operates Mt. Saint Francis Health Center, a 194-bed nursing facility located in Woonsocket.* Staff summarized the application and the deliberations of the Committee on this matter.

Mr. Madden questioned the performance of Dallastown and Ashton nursing facilities which had received civil monetary penalties in the past. The applicant reviewed the most current performance of those facilities, and noted that they are in compliance. With regards to the implementation of this application, the applicant noted that they are waiting for the HUD application prior to closing.

A motion was made, seconded and passed by a vote of twelve in favor and none opposed (12-0) to recommend that the application be approved subject to the conditions of approval. Those members voting in favor were: Almeida, Almon, Coia, Dowling, Flynn, Gernt, Gil, Hamel, Lapierre, Madden, Quigley, Shire.

The next item on the agenda was the *Report of the Committee of the Health Services Council on the application of **Dependable Healthcare Services, LLC** for initial licensure as a Home Nursing Care Provider Agency in Hope Valley.* Staff summarized the application and the deliberations of the Committee on this matter.

In response to Ms. Lapierre, the applicant noted that it will perform national background checks on its employees.

A motion was made, seconded and passed by a vote of twelve in favor and none opposed (12-0) to recommend that the application be approved subject to the conditions of approval. Those members voting in favor were: Almeida, Almon, Coia, Dowling, Flynn, Gernt, Gil, Hamel, Lapierre, Madden, Quigley, Shire.

The next item on the agenda was the *Report of the Committee of the Health Services Council on the application of **Greene Acres Health Center, LLC** [David M. Ryan - 50%, Sally J. Ryan – 50%] for change in effective control of Floral Ledge, LLC d/b/a Woodpecker Hill Nursing Home which operates a 41 bed nursing facility located in Greene.* Staff summarized the application and the deliberations of the Committee on this matter.

Mr. Madden questioned the applicant on the performance of its nursing facilities. The applicant noted that the facilities are in compliance.

A motion was made, seconded and passed by a vote of eleven in favor, none opposed and one recusal (11-0-1) to recommend that the application be approved subject to the conditions of approval. Those members voting in favor were: Almon, Coia, Dowling, Flynn, Gernt, Gil, Hamel, Lapierre, Madden, Quigley, Shire. Almeida recused.

The next item on the agenda was the *Addendum to the Report of the Health Services Council on the Initial Licensure Application of **Northwest Community Health Care** to Establish an Organized Ambulatory Care Facility at 142A Danielson Pike in Foster*. Staff summarized the application and the deliberations of the Committee on this matter.

A motion was made, seconded and passed by a vote of twelve in favor and none opposed (12-0) to recommend that the change order request be approved subject to the conditions of approval. Those members voting in favor were: Almeida, Almon, Coia, Dowling, Flynn, Gernt, Gil, Hamel, Lapierre, Madden, Quigley, Shire.

The next item on the agenda was the *Report of the Committee of the Health Services Council on the application of **Cedar Home Health, LLC** for initial licensure as a Home Nursing Care Provider Agency in Cranston*. Staff summarized the application and the deliberations of the Committee on this matter.

In response to Ms. Lapierre, the applicant noted that it will perform national background checks on its employees, seek JCAHO accreditation, and will check references.

A motion was made, seconded and passed by a vote of eleven in favor and none opposed (11-0) to recommend that the application be approved subject to the conditions of approval. Those members voting in favor were: Almeida, Almon, Coia, Dowling, Flynn, Gil, Hamel, Lapierre, Madden, Quigley, Shire.

The next item on the agenda was the *Report of the Committee of the Health Services Council on the application of **Family Friends Health Care, Inc.** for initial licensure as a Home Care Provider Agency in Providence*. Staff summarized the application and the deliberations of the Committee on this matter.

In response to Ms. Lapierre, the applicant agreed to conduct national background checks on its employees

A motion was made, seconded and passed by a vote of eleven in favor and none opposed (11-0) to recommend that the application be approved subject to the conditions of approval including conducting national background checks on employees. Those members voting in favor were: Almeida, Almon, Coia, Dowling, Flynn, Gil, Hamel, Lapierre, Madden, Quigley, Shire.

3. Adjournment

There being no further business, the meeting was adjourned at 3:43 PM.

Respectfully submitted,

Valentina D. Adamova, MBA
Health Economics Specialist